COMMITTEE AMENDMENT FORM

DATE: <u>01/10/07</u>

COMMITTEE

ZONING

PAGE NUM. (S)1

ORDINANCE I. D. #06-O-2466

SECTION (S)

RESOLUTION I. D. #07-R-

PARA.

AMENDS THE LEGISLATION BY ADDING ONE (1) CONDITION WHICH IS A SITE PLAN RECEIVED BY THE BUREAU OF PLANNING 11/03/06.

AMENDMENT DONE BY COUNCIL STAFF 01/10/07

City Council Atlanta, Georgia

AN ORDINANCE

BY:

COUNCILMEMBER NATALYN MOSBY ARCHIBONG

U-06-30

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of (Section 16-20A.009(5) (a), of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a Childcare Center/Special School is hereby approved. Said use is granted to RACHAEL S. JERNIGAN and is to be located at 177 Estoria Street, S.E., to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 20, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

<u>SECTION 3.</u> That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



EXHIBIT "A" to COMMERCIAL PURCHASE AND SALE AGREEMENT



2002 Printing

Legal Description

FOR 177 ESTORIA STREET

All that tract or parcel of land lying and being in the City of Atlanta and in Land lot 20 of the 14th District of Fulton County, Georgia, being Lots 1, 2 and 3, and the north 22 feet of Lot 4, as shown on a plat designated "Plat of Feagan and Same Property", made by T. C. Jackson, Surveyor, Mch. 1928, and being more particularly described as follows:

Beginning at a point on the west side of Estoria Street, 145 feet south, along the west side of Estoria Street, from the southwest corner of Estoria Street and Kirkwood Avenue, which point of beginning is also at the northeast corner of Lot 1, as shown on said plat, and running thence south, along the west side of Estoria Street, 147.3 feet to a point that is 19 feet north as measured along the west side of Estoria Street, from the portheast corner of Lot 5, as shown on said plat; thence west, in a direction parallel with the north line of said Lot 5, and also parallel with the south wide of Kirkwood Avenue, 143 feet to a point on the east side of Short Street that is 19 feet north as measured along the east side of Short Street, from the northwest corner of said Lot 5 and that is 292.3 feet mouth, as measured along the east side of Short Street. from the southeast corner of Short Street and Linkwood Avenue; thence porth, along the east side of Short Street, 147.3 feet to a point that is 145 feet south, as measured along the east side of Short Street, from the southeast corner of Short Street and Kirkwood Avenue, which point is also at the northwest corper of said Lot 1: thence east, in a direction parallel with the south side of Kirbrood Ayeave, and along the north line of said Lot 1, 143 feet to the northeast corner of said Lot 1, the west side of Estoria Street and the point of beginning.

RECEIVED NOV Bureau of Planning

Huver's Installs

Salera initiana

CP1. Extent "A" Lugar Description, 918/580

Annual State In Barrell Association of REAL TORGO, Inc.

Conditions for U-06-30 for 177 Estoria Street, S.E.

1. A site plan entitled "Cabbagetown Community Center" prepared by ECOS Environmental Design, Inc. dated 9/27/06 last revised 10/27/06 and marked received by the Bureau of Planning November 3, 2006 and for as long as the property is owned by Cabbagetown Initiative CDC.

